SPLA No. 08 of 2001
(Old No.50/1995)
Hon'ble B.C. Kandpal, J.

This is an application for grant of special leave to file an appeal against the acquittal of the opposite party.

This appeal has been preferred against the judgment and order dated 09.06.1995 passed by Judicial Magistrate- I, Dehradun in Complaint Case No. 1332 of 1993 M/s Shankar Oil Mills Vs M/s Bhagwan Prasad & Pawan Kumar under Sections 420 I.P.C. and 138 Negotiable Instruments Act thereby acquitting the opposite party.

Heard Sri K.S. Verma, learned counsel for the appellant, Sri Sandeep Tandon, learned counsel for the opposite party and perused the judgment passed by the trial court.

I do not find any perversity in the impugned judgment and order passed by the trial court. The trial court has rightly disbelieved the evidence adduced by the complainant before the Court. There is no ground available at this stage to interfere in the impugned judgment and order passed by the trial court acquitting the opposite party.

I do not find any force in the application.

Accordingly, the application to grant special leave to appeal is hereby dismissed.

Consequently, the appeal against the acquittal is also dismissed.

(B.C. Kandpal, J)

25.07.2006
ASWAL